

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BAVARIAN NORDIC A/S and
ANTON MAYR,

Plaintiffs,

V.

Civ. No. 05-614-SLR

ACAMBIS INC. and
ACAMBIS PLC,

Defendants.

ORDER

At Wilmington this 15th day of May, 2007, consistent with the memorandum opinion issued this same date;

IT IS ORDERED that:

1. Plaintiffs' motion for summary judgment is denied. (D.I. 114)
2. Defendants' motion for summary judgment is granted. (D.I. 111)
3. Defendants' motion to strike is denied as moot. (D.I. 136)
4. The Clerk of Court is directed to enter judgment in favor of defendants and against plaintiffs.

Aue I. Robner

United States District Judge